

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WILLIAM STOCKWELL,)	CASE NO. 1:19 CV 1881
)	
Plaintiff,)	JUDGE DAN AARON POLSTER
)	
vs.)	<u>OPINION AND ORDER</u>
)	
HOME DEPOT USA, INC., et al.,)	
)	
Defendant.)	

This case is before the Court on the Report and Recommendation of Magistrate Judge David A. Ruiz (R & R). **Doc #: 14.** Judge Ruiz recommends that the Court deny as premature Plaintiff William Stockwell's Motion for Default Judgment against Defendant Home Depot USA, Inc. (**Doc #: 13**) because he has failed to file an application for entry of default. Id.

The record shows that Plaintiff has now filed the requisite Application for Entry of Default. Doc #: 15. Accordingly, both the Motion for Default Judgment and the R & R are hereby **DENIED AS MOOT.**

IT IS SO ORDERED.

/s/ Dan A. Polster November 1, 2019
Dan Aaron Polster
United States District Judge